

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America)

v.)

Case No.

M-17-642-M

-01 MORENO-Espinoza, Mario
YOB: 1966
Mexican Citizen

-02 Garcia, Ruben Jr.
YOB: 1969
United States Citizen

Defendant(s)

United States District Court
Southern District of Texas
FILED

APR 07 2017

CRIMINAL COMPLAINT

Clerk of Court

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 4/6/2017 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC 841 (a) (1)

Knowingly and intentionally possess,
with intent to distribute approximately
2.74 kilograms of methamphetamine, a
Schedule I Controlled Substance under
the Controlled Substance Act.

This criminal complaint is based on these facts:

SEE ATTACHMENT A

☒ Continued on the attached sheet.

approved by
AUST for JRC

George Negrete
Complainant's signature

George Negrete, Special Agent, DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: 4/7/2017City and state: McAllen, Texas

Ignacio Tortosa
Judge's signature

U.S. Magistrate Judge

Printed name and title

Attachment A

On April 5, 2017, a DEA confidential source (CS) was contacted by a subject who identified himself as Pedro GONZALEZ requesting assistance to transport approximately 3 kilograms (kgs) of crystal methamphetamine to West Memphis, Arkansas from South Texas. Agents subsequently coordinated with the CS so as to receive the crystal methamphetamine on the following day from GONZALEZ. On April 6, 2017, Agents instructed the CS to advise GONZALEZ to transport the 3 kgs crystal methamphetamine to the Stripes gasoline station located at 201 West Highway 107, La Villa, Texas. At approximately 12:10 P.M., GONZALEZ contacted the CS advising him/her that one of his associates, instead of him, was going to transport the 3 kgs of crystal methamphetamine in a white Ford Ranger pickup truck. At approximately 1:15 P.M., Agents observed a white Ford Ranger pickup truck and a green Nissan Xterra sport utility vehicle arrive to the Stripes gasoline station. Agents observed the driver of the Ford Ranger, later identified as Ruben GARCIA, exit and meet with the CS momentarily before he then walked to the driver side door of the Nissan Xterra and met with the driver, later identified as Mario MORENO-Espinosa. Agents observed MORENO-Espinosa then exit the Nissan Xterra and go inside the Stripes gasoline station. Agents observed GARCIA go inside the Nissan Xterra by the driver side door and get a plastic bag and subsequently give it to the CS. After the CS observed the crystal methamphetamine inside the plastic bag, he/she gave the arrest signal to which Agents then converged and arrested GARCIA and MORENO-Espinosa once he came out of the Stripes gasoline station. The crystal methamphetamine later tested positive and had a total approximate weight of 2.74 kgs. GARCIA and MORENO-Espinosa were transported to the DEA McAllen District Office for further investigation. SA George Negrete, in the presence of DPS CID Agent Noe Flores, read GARCIA his Miranda Rights. GARCIA stated he understood his rights and agreed to answer questions without the presence of an attorney. GARCIA stated that on the same day, GONZALEZ instructed him to transport a plastic bag to a subject he only knew at the "driver" that was at a gasoline station located in La Villa, Texas. GARCIA stated he knew the plastic bag had crystal methamphetamine inside and was going to get paid by GONZALEZ for transporting it to the driver. GARCIA stated that his associate, whom he only knew as the neighbor (also known as MORENO-Espinosa), drove the green Nissan Xterra. GARCIA stated that his neighbor (MORENO-Espinosa) was aware that he was transporting crystal methamphetamine because he was going to pay him \$1,000 US currency for helping him transport it from Mission to La Villa. GARCIA stated that his neighbor (MORENO-Espinosa) also helped him wrap the crystal methamphetamine prior to transporting it to the "driver" in La Villa on the same day. All questioning was stopped with GARCIA when he had no further information to provide. SA Negrete read MORENO-Espinosa his Miranda Rights as witnessed by DPS CID Agent Flores. MORENO-Espinosa declined to answer any questions until he consulted with an attorney.